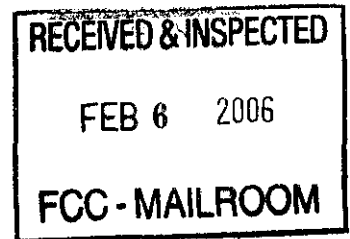


ATTN: MARLENE M. DORTCH  
OFFICE OF THE SECRETARY  
FEDERAL COMMUNICATIONS COMMISSION  
445 12<sup>TH</sup> STREET, SW  
WASHINGTON, DC 20554



**ANNUAL OFFICER'S CERTIFICATE OF  
CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI) COMPLIANCE AS  
OF  
JANUARY 30, 2006**

**RE: EB-06-TC-060  
EB DOCKET No. 06-36**

*DOCKET FILE COPY ORIGINAL*

**MIDWEST TELECOM OF AMERICA, INC.**  
1567 E 93<sup>RD</sup> AVENUE  
MERRILLVILLE, IN 46410

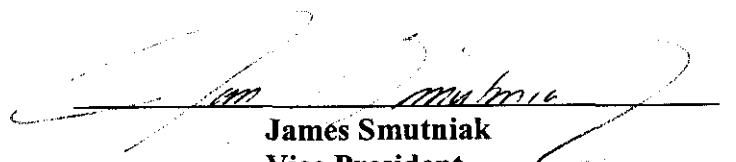
**James S. Smutniak**, Affiant, certifies, affirms, deposes and says that:

He is the Vice President of **Midwest Telecom of America, Inc.**

That he is authorized to and does make this Certification for **Midwest Telecom of America, Inc.**

That he has personal knowledge of Midwest Telecom of America, Inc.'s CPNI operating procedures, and the Rules and Regulations of the Federal Communications Commissions regarding CPNI. That he has personal knowledge that Midwest Telecom of America, Inc.'s procedures conform and ensure Midwest Telecom of America, Inc.'s ongoing compliance with such Rules, including those set forth in 47 C.F.R. 64.2001, et seq. That this Certification is effective from 7-1-05 through 6-30-06

A further statement outlining Midwest Telecom of America, Inc. procedures pertaining to CPNI is attached as *Exhibit A*, as required by 47 C.F.R. 64.2009(e).

  
**James Smutniak**  
Vice President  
Midwest Telecom of America, Inc.  
1567 E. 93<sup>rd</sup> Avenue  
Merrillville, IN 46410

No. of Copies rec'd 074  
List A B C D E

## *Exhibit A*

### *Statement of CPNI Procedures and Compliance*

Midwest Telecom of America, Inc.  
1567 E. 93<sup>rd</sup> Avenue  
Merrillville, IN 46410

As an owner and officer of Midwest Telecom of America, Inc. (MTA) I, James Smutniak, have personal knowledge that our company has established, and has adhered to operating procedures adequate to ensure compliance with the Federal Communications Commission's Customer Proprietary Network Information (CPNI) rules. MTA's Procedures are highlighted as follows:

1. MTA considers the protection of customer's propriety information as one of our competitive advantages in the marketplace. MTA safeguards customer's CPNI beyond the levels required under Section 222 of the Communications Act of 1934, and Section 64.2009(e) of the Commissions rules. MTA automatically safeguards CPNI in all circumstances without requiring the customer to "Opt Out" in order to safeguard CPNI. **MTA does not conduct marketing campaigns that make use of CPNI.**
2. In an abundance of caution, and as a matter company policy, MTA does not disseminate Customer's CPNI to any third party affiliates, agents, or other parties for sales/marketing campaigns. MTA does not conduct outbound or inbound sales and marketing campaigns that use Customer's CPNI.
3. As a matter of documented company policy, Customer's requests for CPNI, including requests for duplicate call detail record information, will not be filled by MTA in the absence of the Customer's written request on Customer's business letterhead. MTA will only deliver the requested CPNI to the fax numbers we have on file for the requesting Customer, or to the Customer's mailing address. We will not deliver any Customer information, whether considered as a part of CPNI or not, to addresses, fax numbers, or to contact individuals not on already file at our Company specific to that Customer.  
Note: Midwest Telecom of America, Inc does not serve residential customers.
4. MTA takes additional precautions to ensure that "brokers" or other unauthorized individuals do not receive CPNI, including call detail records. If a Customer requests call detail record information or other CPNI, MTA personnel are trained to refer said Customer directly to the Customer's monthly invoice, where said information is already provided to the Customer. If a customer claims to have lost his/her invoice and is need of replacement information, MTA will provide via US Mail, a replacement copy only to the mailing address and individual we have on file for the Customer. If a Customer claims to have changed mailing addresses and/or contact information, and wishes for MTA to provide CPNI to said new address or contact person, MTA will recognize that request only if communicated in writing on the Customer's business letterhead.

**Exhibit A**  
**Statement of CPNI Procedures and Compliance**  
**Midwest Telecom of America, Inc.**  
**Page 2**

5. On occasion, MTA has received requests for telephone records from individuals who request such information for law enforcement purposes. MTA's strict policy is to only release the requested information only upon submission of a properly documented Subpoena for said information.
6. Unlike numerous other telecommunications service providers, MTA does not outsource its customer service function. All customer service is rendered under the immediate and direct supervision of the owners and officers of the Company. As a result, the owners/officers of the Company have direct supervisory control and personal knowledge that MTA has established and has adhered to operating procedures that are ensure compliance with rules pertaining to CPNI.